



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART II

POLICE FUNCTIONS

Schedule 1 offences

21 Schedule 1 offences: power of constable to take offender into custody.

- (1) Without prejudice to any other powers of arrest, a constable may take into custody without warrant—
- (a) any person who within his view commits any of the offences mentioned in Schedule 1 to this Act, if the constable does not know and cannot ascertain his name and address;
 - (b) any person who has committed, or whom he had reason to believe to have committed, any of the offences mentioned in that Schedule, if the constable does not know and cannot ascertain his name and address or has reasonable ground for believing that he will abscond.
- (2) ^{F1}
- (3) ^{F1}
- (4) ^{F1}
- (5) ^{F1}

Textual Amendments

F1 S. 21(2)-(5) repealed (10.3.2008) by [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(asp 6\)](#), ss. 7(1), 84; S.S.I. 2008/42, art. 3, Sch. (subject to art. 4)

Status:

Point in time view as at 10/03/2008. This version of this provision has been superseded.

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Section 21 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.